

ONE HUNDRED FIFTEENTH CONGRESS
Congress of the United States
House of Representatives

116

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

February 13, 2018

The Honorable Ajit V. Pai
Chairman
Federal Communications Commission
445 12th Street NW
Washington, DC 20554

Dear Chairman Pai:

We write to request information that will help both us and the public better understand how the Federal Communications Commission (FCC or Commission) managed the record in its recent net neutrality proceeding.¹ This proceeding attracted unparalleled public attention, with a record 24 million public comments.² Yet the net neutrality docket is also notoriously replete with fake comments,³ even including submissions from Russian email addresses.⁴ This docket raises novel questions about how an agency can properly handle and interpret the public's feedback to make sound policy decisions.

The Commission has a responsibility under the Administrative Procedure Act to fully review and respond to significant comments filed in its record. When taking any agency action, the FCC bears the burden of demonstrating that its analysis is supported by the record, and that it has fully engaged with the American public by ensuring their voices are heard. Giving the public an opportunity to comment in a proceeding such as this one is crucial not only to ensure

¹ Federal Communications Commission, *Restoring Internet Freedom*, WC Docket No. 17-108 (rel. Jan. 4, 2018) (hereinafter "FCC 2018 Order").

² *Id.* at ¶ 19; *Id.* at 538, Dissenting Statement of Commissioner Jessica Rosenworcel ("To date, nearly 24 million comments have been filed in this proceeding. There is no record in the history of this agency that has attracted so many filings.").

³ *Millions of Net Neutrality Comments Were Faked. Turns Out Mine Was One*, USA Today (Dec. 6, 2017).

⁴ *Russian Bots Target FCC in Attempt to Get Net Neutrality Repeal*, NY Post (Nov. 22, 2017).

the FCC can consider the full impact of its proposal, but also to give the public confidence in the agency's procedures.⁵

Unfortunately, the FCC's Order gave scant detail about how it approached its unprecedented docket, tucking all description of the process into a few paragraphs at the end of a lengthy order. While we may not support the outcome of this proceeding, we hope you agree with us that transparency in the process is crucial. In order to restore public confidence in the integrity of the process and give the American people a better understanding of how the FCC analyzed the comments filed in this proceeding, we request that you provide us information on how the agency reviewed the public comments. Please answer the following questions no later than March 6, 2018.

1. The Commission has never handled a docket of this size before or one with so many fraudulent filings. What public process did the Commission conduct to determine how to handle these novel issues? How did the Commission generate any guidelines it provided to staff working on this proceeding? Please provide any guidelines and internal legal analysis to support any guidelines provided to staff.
2. The FCC's Order notes that the Commission did not rely on "comments devoid of substance," or "non-substantive comments."⁶ What analysis did the FCC conduct to determine which comments were "devoid of substance" or "non-substantive?" Please provide any guidelines provided to staff who made these determinations.
3. According to Commissioner Clyburn, the Order does not cite a single consumer comment.⁷ How many consumer comments were filed in the record? Why did the Commission decide not to respond to any of these comments?
4. Chairman Pai has stated that comments filed from Russian email addresses were in favor of net neutrality.⁸ Did the Commission conduct an independent analysis to support this determination? Please provide any data or analysis used to support this claim.
5. The FCC has refused to work with New York Attorney General Eric Schneiderman to investigate fraudulent use of Americans' identities in the record. Please explain why the FCC decided not to cooperate with this criminal investigation. Please provide any

⁵ Letter from Rep. Frank Pallone, Jr., Ranking Member, House Committee on Energy and Commerce, et al., to Ajit V. Pai, Chairman, Federal Communications Commission, et al. (June 26, 2017).

⁶ See note 1, FCC 2018 Order at ¶ 344.

⁷ *Id.* at 223, Dissenting Statement of Commissioner Mignon L. Clyburn.

⁸ *FCC Net Neutrality Process 'Corrupted' by Fake Comments and Vanishing Consumer Complaints Officials Say*, Washington Post (Nov. 24, 2017).

internal communications about this decision and any legal analysis generated to support this decision.

6. A number of U.S. citizens claim that comments were falsely filed using their names. The FCC's Order notes that the FCC is under "no legal obligation to adopt any 'procedural devices' . . . such as identity-verification procedures."⁹ While it may not have an obligation, does the FCC have the authority to adopt such procedural devices? If so, why has the FCC chosen not to adopt such procedures?
7. How did the FCC determine whether comments were filed by the entity with whom the comments were associated? For instance, when the FCC cited a comment from an internet service provider, what did the Commission do to determine that the company in fact filed those comments? What did the Commission do to determine whether comments filed under an individual's name was in fact from that person? Please provide any guidelines provided to staff tasked with making these determinations.
8. The Order states that the FCC "focused its review of the record on the submitted comments that bear substantively on the legal and public policy consequences of the actions."¹⁰ How did the Commission determine whether comments met this standard? Please provide any guidelines provided to staff tasked with making these determinations and any internal legal analysis to support these guidelines.
9. Several members of this Committee filed comments in the docket of this proceeding, yet a number of the arguments raised in those comments were either dismissed out of hand or overlooked entirely.¹¹ How did the Commission decide which arguments filed by members of Congress should not be considered?
10. The FCC's Order notes that the FCC devoted "substantial resources" to reviewing and evaluating "the content of the approximately 23 million express comments," or "shorter submissions that are made directly into a web form and do not require supporting file attachments."¹² Did the FCC determine that any of those 23 million "shorter submission" comments contained "substantive issues" that were relevant to the FCC's decision.¹³ If so, how did the FCC address those substantive issues in its Order?
11. The FCC's Order notes that the FCC has previously declined to apply internal rules regarding false statements. Does the FCC have the authority to require commenters to be

⁹ See note 1, FCC 2018 Order at ¶ 345.

¹⁰ *Id.* at ¶ 344.

¹¹ Comments of Rep. Frank Pallone, Jr., Ranking Member, House Committee on Energy and Commerce, et al. filed with Federal Communications Commission, *Restoring Internet Freedom*, WC Docket No. 17-108 (Aug. 4, 2017).

¹² See note 1, FCC 2018 Order, footnote 1182.

¹³ *Id.* at footnote 1182.

truthful in their submissions to the FCC? If so, why did the FCC choose not to require commenters to be truthful?

12. As noted by the National Hispanic Media Coalition (NHMC), the FCC has received tens of thousands of consumer complaints related to net neutrality, yet the Commission denied NHMC's request to include the filings in the record.¹⁴ In denying NHMC's request, the FCC relied on arguments made by industry representatives, and noted, "[s]ince we do not rely on these informal complaints as the basis for the decisions we make today, we do not have an obligation to incorporate them into the record."¹⁵ What analysis did the FCC conduct to determine that consumer complaints about net neutrality violations were not relevant to the FCC's net neutrality decision? Please provide internal communications and any legal analysis conducted to support the decision not to rely on consumer complaints as evidence of harm.
13. The Order states that the Commission did not rely on comments filed under "fake" names.¹⁶ How did the Commission determine which filings used fake names? Please provide any internal communications or analysis regarding how the agency identified or analyzed fraudulent comments.
14. The Commission decided not to remove these fraudulent comments from the public website despite requests from the people associated with the identities. Please provide any internal communications and analysis explaining how the Commission decided not to remove these comments. Did the Commission remove any filings at all from the public record? If so, how did it decide which ones to remove? Please provide any documentation to support your response.
15. Did FCC staff review every comment filed in the docket? How many staff hours did the Commission devote to reviewing the record? Was staff assigned to work on the docket full time? Was staff asked to work overtime to complete the review of the record by a certain deadline? How much of the FCC's budget was spent to compensate staff designated to review the docket? How much of the FCC's budget was spent to pay staff overtime to review the docket? Please provide any documentation and internal communications, including communications provided to staff, regarding how to spend time reviewing the docket.
16. Did senior management at the Commission provide any training sessions for staff tasked with reviewing the record? If so, please provide any training material supplied to the staff.

¹⁴ *Id.* at ¶ 339.

¹⁵ *Id.* at ¶ 341-342 (citing AT&T Opposition and NCTA and USTelecom Opposition).

¹⁶ *Id.* at ¶ 345.

Your assistance in this matter is greatly appreciated, and we look forward to your response. If you have any questions, please contact Julie Babayan or Gerald Leverich with the Democratic Committee staff at (202) 225-3641.

Sincerely,



Frank Pallone, Jr.
Ranking Member



Mike Doyle
Ranking Member
Subcommittee on Communications
and Technology



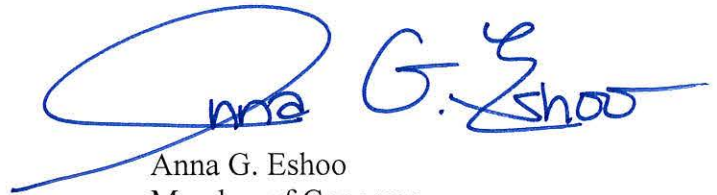
Diana DeGette
Ranking Member
Subcommittee on Oversight
and Investigations



Eliot L. Engel
Member of Congress



Gene Green
Member of Congress



Anna G. Eshoo
Member of Congress



Bobby L. Rush
Member of Congress



Jan Schakowsky
Member of Congress



G.K. Butterfield
Member of Congress



Doris Matsui
Member of Congress



Kathy Castor
Vice Ranking Member



John Sarbanes
Member of Congress



Jerry McNerney
Member of Congress



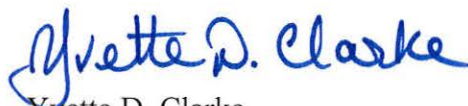
Peter Welch
Member of Congress



Ben Ray Lujan
Member of Congress



Paul D. Tonko
Member of Congress



Yvette D. Clarke
Member of Congress



Dave Loebsack
Member of Congress



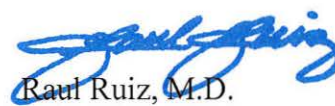
Kurt Schrader
Member of Congress



Joseph P. Kennedy, III
Member of Congress



Tony Cardenas
Member of Congress



Raul Ruiz, M.D.
Member of Congress



Scott H. Peters
Member of Congress



Debbie Dingell
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

OFFICE OF
THE CHAIRMAN

The Honorable Eliot L. Engel
U.S. House of Representatives
2462 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Engel:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

The *Restoring Internet Freedom* proceeding reflected an historic amount of public interest and participation, which helped ensure that the Commission considered all important aspects of its decision last December to reclassify broadband Internet access service as an "information service" and return to the "light-touch" regulatory framework that fostered a free and open Internet in the United States for over twenty years prior to 2015. The Commission is grateful to all commenters who engaged the legal and public policy questions presented in this important rulemaking.

Similar to many important agency rulemakings across the federal government, this proceeding carried the potential for advocates on either side to abuse the process to create an appearance of numerical advantage. As your letter notes, it has been reported that some members of the public submitted comments using false names and others submitted comments associated with Russian email addresses in order to "run up the score" on either side. I can assure you, however, that the Commission does *not* make policy decisions merely by tallying the comments on either side of a proposal to determine what position appears to have greater support, nor does it attribute greater weight to comments based solely on the submitter's identity. Accordingly, the Commission has not asked commenters to provide identity verification or expended the enormous resources necessary to verify commenters' identities. Rather, the agency has focused on encouraging robust participation in its proceedings and ensuring that it has considered how the substance of submitted comments bear on the legal and public policy consequences of its actions.

The Commission has provided additional information about its comment review process in connection with the *Restoring Internet Freedom Order* in paragraphs 19 and 344-45 of the *Order* itself. As you will see there and throughout the *Order*, the Commission reviewed and addressed all substantive arguments raised by individual consumers, consumer advocates,

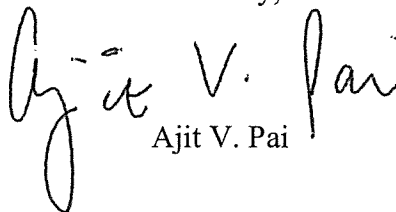
consumer groups, attorneys general, academics, members of Congress, and other members of the public.

Specifically, the Commission allowed members of the public to submit either traditional “standard filings” or “express comments” through its online Electronic Comment Filing System (ECFS). While “standard filings” are typically lengthier analyses submitted via a Word document, .PDF, or other attachment, our “express comments” portal allows members of the public to efficiently submit a short comment to the Commission using a simple web form. In reviewing the record in this proceeding, Commission staff analyzed all “standard filings” and all distinct form “express comments” for substantive issues. (Form comments are identical or near-identical comments submitted repeatedly into the record; these constituted the vast majority of “express comments” received.) Commission staff also developed a systematic process for review of non-form express comments, consistent with the recommendations of the Administrative Conference of the United States—the independent federal agency charged with ensuring the efficiency and reliability of agency decision-making.¹ Through this process, the Commission ensured that it issued an *Order* that reflected the substantive input of the diverse constituencies that participated in this rulemaking.

Your letter also asks about the Commission’s decision to deny a motion made by the National Hispanic Media Coalition (NHMC) to include copies of informal consumer complaint materials in the *Restoring Internet Freedom* record. The *Order* itself explains the reasons for the Commission’s decision, at paragraphs 339-343. Specifically, the *Order* explains, among other things, that the Commission’s routine review of consumer complaints, and its review of the voluminous record in this proceeding, helped ensure that the Commission did not overlook a significant problem that consumers had raised that could be relevant to the Commission’s decision. In addition, the *Order* notes that most of the consumer complaints proffered by NHMC have not been verified and that the overwhelming majority of them allege conduct unrelated to the Commission’s reclassification decision. Finally, the *Order* makes clear that NHMC was free to place into the record any documents, including copies of informal consumer complaint materials, that it considered relevant to the proceeding.

I appreciate your interest in this matter.

Sincerely,



Ajit V. Pai

¹ Administrative Conference Recommendation 2011-1, Legal Considerations in e-Rulemaking, Administrative Conference of the United States at 4 (June 16, 2011), *available at* <https://www.acus.gov/sites/default/files/documents/Recommendation-2011-1-Legal-Considerations-in-e-Rulemaking.pdf>.



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

OFFICE OF
THE CHAIRMAN

The Honorable Gene Green
U.S. House of Representatives
2470 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Green:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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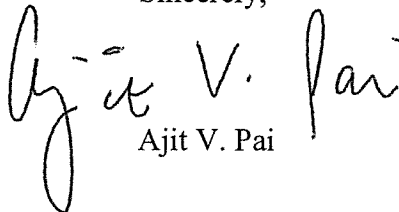
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Bobby L. Rush
U.S. House of Representatives
2188 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Rush:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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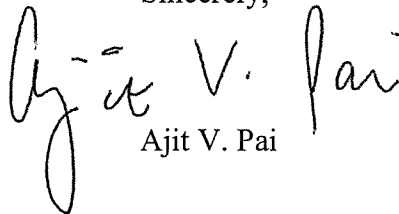
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OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable G.K. Butterfield
U.S. House of Representatives
2080 Rayburn House Office Building
Washington, D.C. 20515

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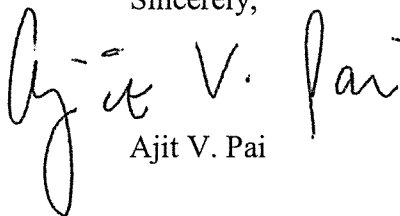
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Ajit V. Pai

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

OFFICE OF
THE CHAIRMAN

The Honorable Anna G. Eshoo
U.S. House of Representatives
241 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Eshoo:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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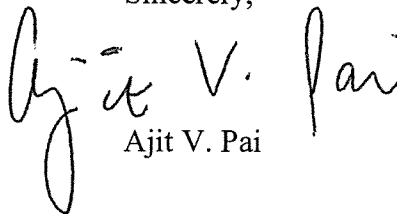
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Jan Schakowsky
U.S. House of Representatives
2367 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Schakowsky:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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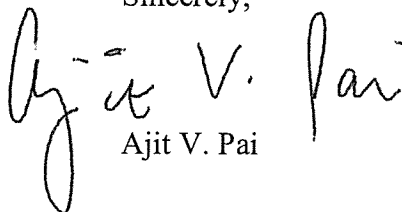
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

OFFICE OF
THE CHAIRMAN

The Honorable Doris Matsui
U.S. House of Representatives
2311 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Matsui:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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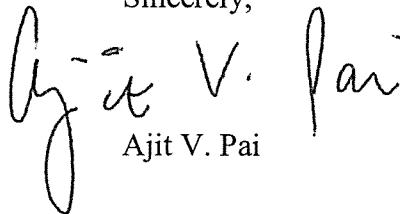
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

OFFICE OF
THE CHAIRMAN

The Honorable Kathy Castor
U.S. House of Representatives
2052 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Castor:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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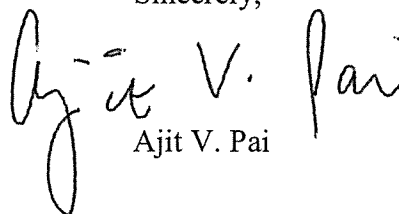
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Jerry McNerney
U.S. House of Representatives
2265 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman McNerney:

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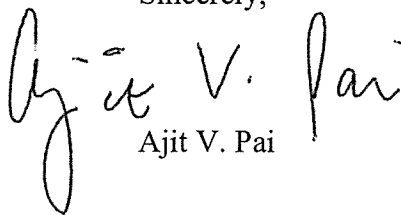
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Ben Ray Luján
U.S. House of Representatives
2231 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Luján:

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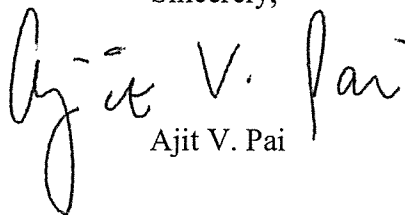
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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

The Honorable Yvette D. Clarke
U.S. House of Representatives
2058 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Clarke:

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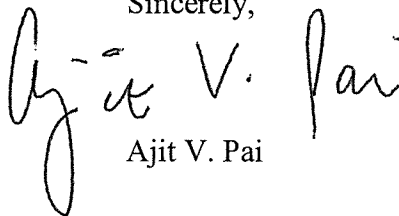
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Kurt Schrader
U.S. House of Representatives
2431 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Schrader:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

The *Restoring Internet Freedom* proceeding reflected an historic amount of public interest and participation, which helped ensure that the Commission considered all important aspects of its decision last December to reclassify broadband Internet access service as an "information service" and return to the "light-touch" regulatory framework that fostered a free and open Internet in the United States for over twenty years prior to 2015. The Commission is grateful to all commenters who engaged the legal and public policy questions presented in this important rulemaking.

Similar to many important agency rulemakings across the federal government, this proceeding carried the potential for advocates on either side to abuse the process to create an appearance of numerical advantage. As your letter notes, it has been reported that some members of the public submitted comments using false names and others submitted comments associated with Russian email addresses in order to "run up the score" on either side. I can assure you, however, that the Commission does *not* make policy decisions merely by tallying the comments on either side of a proposal to determine what position appears to have greater support, nor does it attribute greater weight to comments based solely on the submitter's identity. Accordingly, the Commission has not asked commenters to provide identity verification or expended the enormous resources necessary to verify commenters' identities. Rather, the agency has focused on encouraging robust participation in its proceedings and ensuring that it has considered how the substance of submitted comments bear on the legal and public policy consequences of its actions.

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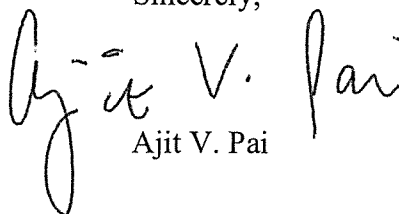
consumer groups, attorneys general, academics, members of Congress, and other members of the public.

Specifically, the Commission allowed members of the public to submit either traditional “standard filings” or “express comments” through its online Electronic Comment Filing System (ECFS). While “standard filings” are typically lengthier analyses submitted via a Word document, .PDF, or other attachment, our “express comments” portal allows members of the public to efficiently submit a short comment to the Commission using a simple web form. In reviewing the record in this proceeding, Commission staff analyzed all “standard filings” and all distinct form “express comments” for substantive issues. (Form comments are identical or near-identical comments submitted repeatedly into the record; these constituted the vast majority of “express comments” received.) Commission staff also developed a systematic process for review of non-form express comments, consistent with the recommendations of the Administrative Conference of the United States—the independent federal agency charged with ensuring the efficiency and reliability of agency decision-making.¹² Through this process, the Commission ensured that it issued an *Order* that reflected the substantive input of the diverse constituencies that participated in this rulemaking.

Your letter also asks about the Commission’s decision to deny a motion made by the National Hispanic Media Coalition (NHMC) to include copies of informal consumer complaint materials in the *Restoring Internet Freedom* record. The *Order* itself explains the reasons for the Commission’s decision, at paragraphs 339-343. Specifically, the *Order* explains, among other things, that the Commission’s routine review of consumer complaints, and its review of the voluminous record in this proceeding, helped ensure that the Commission did not overlook a significant problem that consumers had raised that could be relevant to the Commission’s decision. In addition, the *Order* notes that most of the consumer complaints proffered by NHMC have not been verified and that the overwhelming majority of them allege conduct unrelated to the Commission’s reclassification decision. Finally, the *Order* makes clear that NHMC was free to place into the record any documents, including copies of informal consumer complaint materials, that it considered relevant to the proceeding.

I appreciate your interest in this matter.

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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Tony Cárdenas
U.S. House of Representatives
1510 Longworth House Office Building
Washington, D.C. 20515

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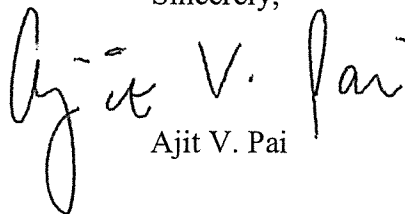
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

OFFICE OF
THE CHAIRMAN

The Honorable John Sarbanes
U.S. House of Representatives
2444 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Sarbanes:

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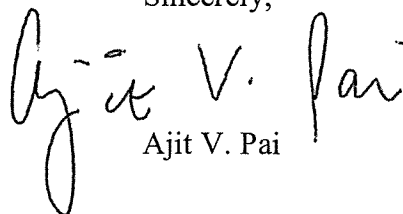
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Peter Welch
U.S. House of Representatives
2303 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Welch:

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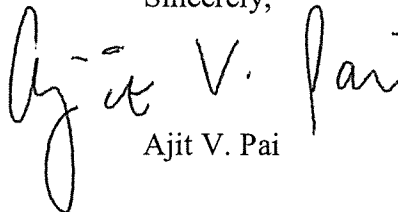
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Paul Tonko
U.S. House of Representatives
2463 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Tonko:

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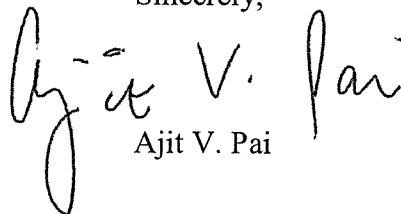
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Dave Loebsack
U.S. House of Representatives
1527 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Loebsack:

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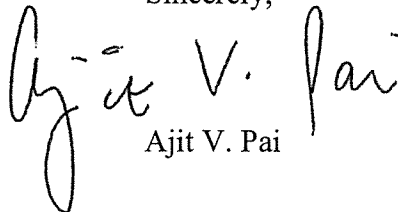
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Joseph P. Kennedy
U.S. House of Representatives
434 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Kennedy:

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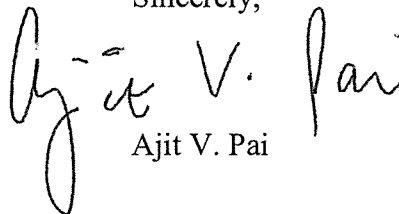
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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

The Honorable Raul Ruiz
U.S. House of Representatives
1319 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Ruiz:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

The *Restoring Internet Freedom* proceeding reflected an historic amount of public interest and participation, which helped ensure that the Commission considered all important aspects of its decision last December to reclassify broadband Internet access service as an "information service" and return to the "light-touch" regulatory framework that fostered a free and open Internet in the United States for over twenty years prior to 2015. The Commission is grateful to all commenters who engaged the legal and public policy questions presented in this important rulemaking.

Similar to many important agency rulemakings across the federal government, this proceeding carried the potential for advocates on either side to abuse the process to create an appearance of numerical advantage. As your letter notes, it has been reported that some members of the public submitted comments using false names and others submitted comments associated with Russian email addresses in order to "run up the score" on either side. I can assure you, however, that the Commission does *not* make policy decisions merely by tallying the comments on either side of a proposal to determine what position appears to have greater support, nor does it attribute greater weight to comments based solely on the submitter's identity. Accordingly, the Commission has not asked commenters to provide identity verification or expended the enormous resources necessary to verify commenters' identities. Rather, the agency has focused on encouraging robust participation in its proceedings and ensuring that it has considered how the substance of submitted comments bear on the legal and public policy consequences of its actions.

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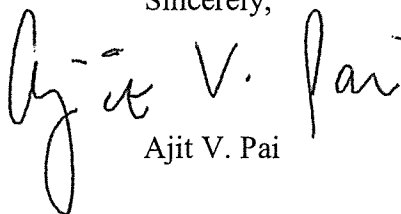
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

OFFICE OF
THE CHAIRMAN

The Honorable Scott Peters
U.S. House of Representatives
1122 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Peters:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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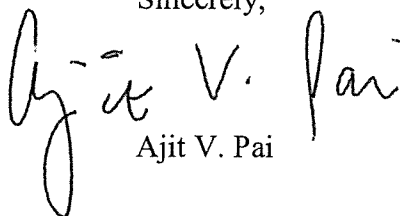
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OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 4, 2018

The Honorable Debbie Dingell
U.S. House of Representatives
116 Cannon House Office Building
Washington, D.C. 20515

Dear Congresswoman Dingell:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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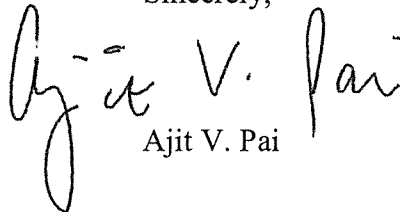
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Diana DeGette
Committee on Energy and Commerce
Subcommittee on Oversight and Investigations
U.S. House of Representatives
2322A House Office Building
Washington, D.C. 20515

Dear Congresswoman DeGette:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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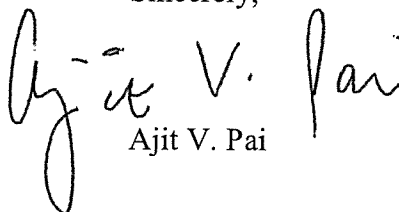
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Frank Pallone
Committee on Energy and Commerce
U.S. House of Representatives
2322A Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Pallone:

Thank you for your letter regarding the Federal Communications Commission's review of the record in the *Restoring Internet Freedom* rulemaking proceeding. I agree that transparency is crucial to the rulemaking process and can assure you that the Commission is staunchly committed to transparency and integrity in its proceedings, including in connection with the *Restoring Internet Freedom* docket. That is why one of my first actions as Chairman was to start a transparency initiative to publicly release the draft text of meeting items at least three weeks before the Commission votes on them.

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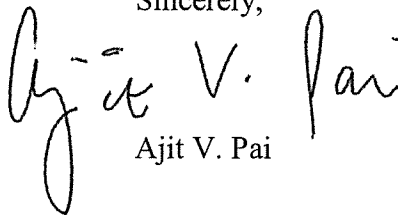
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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

June 4, 2018

The Honorable Mike Doyle
Committee on Energy and Commerce
Subcommittee on Communications and Technology
U.S. House of Representatives
2322A Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Doyle:

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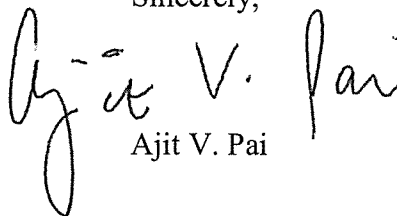
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